

Application Number: 09/774,147
Dated 6/30/2005
Request for clarification of response filing date

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JUN 30 2005

Page 1 of 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/774,147

Applicant: James Martin Billings

Filed: 01/30/2001

Group Art Unit: 3624

Examiner: Dr. Narayanswamy Subramanian

For: A METHOD AND SYSTEM FOR PROVIDING DOWNSIDE PROTECTION OF STOCK MARKET INVESTMENTS

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please consider the following remarks:

Introductory Comments:

On the evening of June 24, 2005, I attempted to fax applicant's response to the USPTO general fax number 703-872-9306 beginning at approximately 10:35 PM [Central Daylight Time]. After six attempts, on the seventh attempt I was able to get USPTO confirmation of the receipt of the 27 pages. This occurred at 6/25/2005 12:35:52 AM [Eastern Daylight Time]. However, in Lebanon, Tennessee, I am on Central Daylight Time. Therefore, the facsimile transmission was completed at 6/24/2005 11:35:52 PM in Lebanon, Tennessee, the location of the transmission. The PTO/SB/97 form was used as a cover page and the Certificate of Transmission on that form was signed and dated 24 June 2005 and listed the documents and number of pages being transmitted. The PTO/SB/21 Transmittal Form was also transmitted, signed and dated 24 June 2005 and listed the documents and number of pages being transmitted. In addition, the last page of the response contained a type Certificate of Facsimile Transmission that was signed and dated 24 June 2005.

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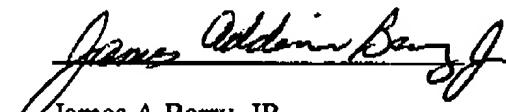
Page 2 of 2

Remarks:

MPEP 502.01 Correspondence Transmitted by Facsimile [R-2] depicts an example similar to the facts just presented. After the example, the manual states that if the Certificate of Transmission is available, then the above facsimile may be considered timely filed if it contains a certificate of transmission and is in compliance with 37 CFR 1.8(a)(1)(i)(B) and (ii).

The Applicant believes the Office Action response dated June 24, 2005 will be accorded a response filing date of June 24, 2005. In the event the undersigned is mistaken, Applicant requests that Examiner call the undersigned at the phone number below, or contact Applicant via email or letter so that applicant may file the necessary paperwork and fees for extension.

Respectfully submitted,

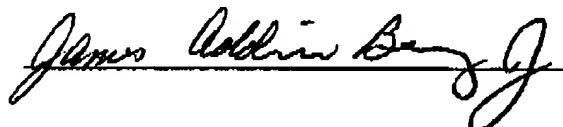


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Certificate of Facsimile Transmission: I certify that on the date below I will fax this paper to GAU 3624 of the U.S. Patent and Trademark Office at 703-872-9306.

2005 June 30



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PTO/SB/87 (09-04)

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on 30 June 2005
Date



Signature

James Addison Barry, Jr.

Typed or printed name of person signing Certificate

44,524

Registration Number, if applicable

(615) 444-3568

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper. (US Patent Application Number 09/774,147)

Transmittal Form PTO/SB/21 1 page

Request for Clarification of Response Filing Date: 2 pages

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

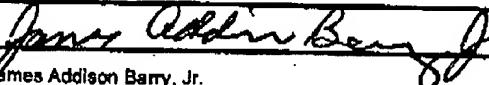
4

Application Number	09/774,147
Filing Date	01/30/01
First Named Inventor	James Martin Billings
Art Unit	3624
Examiner Name	Narayanan Subramanian
Attorney Docket Number	SSL

ENCLOSURES (Check all that apply)

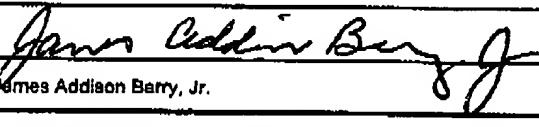
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
Request to clarify filing date of Office Action Response of 24 June 2005: 2 Pages		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	James Addison Barry, Jr.		
Signature			
Printed name	James Addison Barry, Jr.		
Date	30 June 2005	Reg. No.	44,524

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	James Addison Barry, Jr.	Date	30 June 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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